

125 Lives in Peril From Fire in Pennsylvania Tunnel

Knock-Out Drops Given to the Insane on Ward's Island

New Yorkers and Jersey People In Fast Train Wreck

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The EVENING EDITION World.
"Circulation Books Open to All"
NEW YORK, THURSDAY, DECEMBER 5, 1907.
"Circulation Books Open to All"



PRICE ONE CENT.

NOTHING BUT SALOONS TO BE OPEN ON SUNDAY

Following Justice O'Gorman's Decision, Commissioner Bingham Instructs the Police to Close All Places of Amusement.

BOTH OPERA HOUSES AND CARNEGIE HALL UNDER BAN.

Liederkrantz and Symphony Society Must Cancel Concerts—Moving Picture Shows and Dance Halls Must Keep Closed, but Raines Law Hotels Will Be Open.

Everything in New York in the nature of an amusement enterprise will be closed next Sunday, public music will be prohibited, dancing and singing will be under the police ban—everything will be shut up as tight as a drum—everything but the saloons. A kind Legislature has provided for them.

All the theatres and moving picture shows of whatever character will be closed. The Theatrical Managers Association at a meeting this afternoon decided to abide by the law and not try to make a test case. No music will be allowed in restaurants. Dance halls and concert halls will be closed. All entertainments of any nature for which an admission fee, or anything approximating an admission fee, is charged will be raided by the police should an attempt be made to conduct them. Lectures illustrated by moving pictures will be prohibited—even those usually given under the auspices of the Y. M. C. A.

No music will be allowed in any public place except churches. A big concert planned for Sunday night by the Liederkrantz Society at its club-house, for which the Kiesel Quartette and expensive soloists have been engaged, comes under the ban. The hundreds of halls which are open on Sundays by clubs for dancing will not be permitted to form in the streets outside the Garden.

Raines Law Hotels Will Be Open.

"It is going to be what you might call a mighty tight Sunday," said Commissioner Bingham to-day. "The Sunday law, as expounded by Justice O'Gorman, will be enforced to the letter."

However, the Raines law hotels will be open.

"If the people of this city want a tight Sunday I will give it to them," said Commissioner Bingham. "The law will be enforced regardless of any influences. I have secured an opinion from the Corporation Counsel which is explicit enough to cover all requirements."

"Have you received any requests from managers or associations to allow entertainments to take place for which tickets have been sold?" the Commissioner was asked.

"None so far," he replied. "No such requests will be granted should they be made. There is time enough for people who have arranged to break the law to make other arrangements."

"How about music in restaurants such as Sherry's, the Martin, Delmonico's, Rector's and such places?" the Commissioner was asked.

"The law will be enforced to the letter," was his answer. "It provides that there shall be no music anywhere on a stage, and it cannot be evaded."

The Commissioner was told that Chief Devery once compelled the orchestra at Sherry's and other high-class restaurants to refrain from making music on Sunday. He said that the law was plain and his men would enforce it.

"I have sent a copy of Justice O'Gorman's decision to the manager of every theatre in the city," he continued. "On Saturday morning all the inspectors of the Police Department will come here for the law and their instructions. They will be held strictly accountable for any violations in their districts."

Both Opera-Houses Will Be Closed.

Commissioner Bingham said the law was plain in prohibiting club concerts such as the Liederkrantz, for which tickets have been sold. It applies to the Sunday night concert at the Manhattan and Metropolitan Opera-Houses.

HUSBAND OF 19 A DON JUAN, GETS HIMSELF IN JAIL

Leaves Wife with Whom He Eloped, Then Courts Sixteen-Year-Old Girl.

ABDUCTION IS CHARGED

Father of Pretty Miss Gets Police After Him, and He Is Landed in Cell.

NEWARK, N. J., Dec. 5.—R. Wallace Ochs, a law student, nineteen years of age, of No. 46 Bedford street, was arraigned to-day in the first Criminal Court and held in \$1,000 bail for the action of the Grand Jury on the complaint of Charles Wuetschner, charging abduction. The complainant charges that Ochs abducted his daughter Frances, sixteen years of age. It was brought out at the hearing that Ochs has a wife from whom he separated two months after they were married.

Ochs and Annie Brown, who is one year his junior, eloped and were married a few days after Ochs's sixteenth birthday. When they returned the parents tried to have the marriage annulled, but the young couple refused to listen to them and lived together. But their happiness was short-lived, and after two months of wedded bliss they agreed to live apart, and each returned to the home of their parents.

On Nov. 16, 1906, a little girl was born to the young wife, and the mother and child have continued to live with Mrs. Dorothy Brown, mother of Mrs. Ochs.

Six months ago Ochs met Miss Frances Wuetschner, and it was a case of love at first sight on the part of each of them. Neither the girl nor her parents were aware that Ochs already had a wife and baby, and he was permitted to call upon Frances.

A week ago Mrs. Wuetschner questioned her daughter about Ochs and the girl broke down and confessed to her relations with the young Don Juan. This morning the police were called to the police as incriminating and swore out a warrant for Ochs, and the latter's arrest followed.

NAMED RECEIVER FOR THE EXCELSIOR

Attorney-General's Application Forestalled Action Contemplated by Company.

Eugene V. Daly, an attorney at No. 76 William street, was named temporary receiver of the Excelsior Fire Insurance Company by Justice Betts, of the Supreme Court at Monticello, on the application of Attorney-General Jackson.

The Excelsior Company was financed and organized by William Gow and his associates, who were identified as president and many of the individuals connected with Gow financing schemes were among the directors and officers of the company. All the stock was held by the coteries of promoters.

The directors of the Excelsior Bank's collapse made efforts to have a receiver appointed on a voluntary basis, but the action of Attorney-General Jackson forestalled any plans made by the crowd to get an appointee favorable to their interests in charge of the concern.

Jackets that have been sold will have to be redeemed.

George W. Brainerd, manager of vaudeville in Manhattan and Brooklyn, offered a resolution declaring it to be the policy of the Excelsior Bank of Justice O'Gorman's decision, all places of amusement should be closed on Sunday. The resolution passed unanimously.

There were present representatives of Klaw & Erlinger, Rich & Prector, Percy Williams, Oscar Hammerstein, Charles Frohman, the Shubert, Fiske & Bennett, Hurll & Seaman, Sullivan & Kraus, Dreamland and Luna Park. Ted Marky, who has conducted chaste and uplifting Sunday concerts at the American Theatre for years, was also present. He said he would not attempt to embarrass the city authorities by giving a performance.

The managers look for an award how the Sunday closing law will shut down the Sunday performances in all the little Mulberry Bend and Chitto concert halls. The Chinese Theatre will be closed, too, for the first time in many years.

BIG MAURETANIA HAS SMASHED ALL EASTERN RECORDS

Newest Turbine Makes Run to Queenstown in 4 Days, 22 Hours. Beating Lusitania's Best by 50 Minutes.

The new Cunard line turbine Mauretania got into Queenstown at 5.49 o'clock this afternoon. She thus smashes the eastern voyage record established by her "little sister," Lusitania.

The Lusitania set the mark of 4 days, 22 hours and 50 minutes on her last eastern trip. Conservative figuring by the Cunard officials makes the Mauretania's run 4 days, 22 hours, and during which she sailed off 237 miles.

The Mauretania cleared the lights at Sandy Hook last Saturday at 1 o'clock in the afternoon. Her run is all the more remarkable by reason of her having had to fight head winds and high seas.

Wireless despatches received from her during the trip have told of the turbulent weather she was experiencing. Despite this she managed to keep up a marvellous average of speed.

Figuring on her time, it appears that the new Mauretania maintained an average of 23.9 knots, while the best the Lusitania did on her record eastern trip was an average of 23.6.

ELMONT GIVES BACK \$814,000 TO MET. TREASURY

Amount Charged as Cash Asset Found on Deposit With Banker.

August Belmont has been compelled to restore \$814,000 to the receivers of the Metropolitan Street Railway Company, and a plan is being perfected to force the restitution of other large sums that, through the mysterious machinations of high finance, vanished from the coffers of the street railway company.

Charles H. Wilder, a shareholder of the Metropolitan, said to-day in regard to the Belmont restitution of almost one million dollars:

"A matter which concerns the stockholders of the Metropolitan Company vitally is the recovery of the sum of \$144,000 by the present receivers. That sum should have appeared on the books of the company, or its subsidiary company, the Cross-Town Railroad, as a cash asset. It was never charged against the street railway system, but upon investigation by the receivers the same amount was found to have been deposited with August Belmont & Co. as a trust deposit."

"I am in a position to state that this money has since been paid over to the receivers and will be used in the purchase of equipment. In signing the amount which was originally intended to be issued in receivers' certificates."

"This is only one instance where we, as stockholders, have been benefited by the receivers. In the case of the 'Wall Street Blue Print Road,' and similar transactions, large sums of money will be recovered to strengthen further the depleted treasury of the Metropolitan Street Railway Company."

"A movement is on foot to get the minority stockholders of the Metropolitan Street Railway Company to either, under the Railway Company to either, or over, or shares of the stock as to the proposed plan of united action."

CHAPULTEPEC AT 1 TO 4 WINS AT NEW ORLEANS

Star Two-Year-Old Had Only a Cheap Lot to Beat.

(Special to The Evening World.)

NEW ORLEANS, Dec. 5.—Attractions extraordinary were sadly needed on such a day as this turned out to be. The weather was very suggestive of the late fall days up North. Cold, and with a strong wind blowing through the stand, the race course was not a very attractive place for those who care for physical comfort. In introducing their star two-year-old, Chapultepec, to the local racing public, Burlew & O'Neill slipped him into a spot that gave him full opportunity for a good introduction. The occasion was a cheap condition race that evened the programme, and evidently the secretary was not thinking of this youngster when he framed his race. The company selected for him was of rather ordinary quality.

The summary:

FIRST RACE.
Purse \$500; two-year-olds; five and a half furlongs.
Starters: Weight, Jockeys, Betting.
Chapultepec, 114, J. Lee, 10.1 & 4.1
Bank Maid, 112, J. Lee, 10.1 & 4.1
Hans, 107.15, Morris, 10.1 & 4.1
Main Fletcher, 107.15, Morris, 10.1 & 4.1
Full of Fun also ran.

SECOND RACE.
Purse \$400; selling; three-quarters of a mile.
Starters: Weight, Jockeys, Betting.
Dunning, 114, J. Lee, 10.1 & 4.1
Bank Holiday, 112, J. Lee, 10.1 & 4.1
Onix II, 107.15, Morris, 10.1 & 4.1
Full of Fun also ran.

THIRD RACE.
Purse \$400; four-year-olds and upward; selling; six furlongs.
Starters: Weight, Jockeys, Betting.
Rebo, 114, J. Lee, 10.1 & 4.1
Shen, 112, J. Lee, 10.1 & 4.1
Jack Witt, 107.15, Morris, 10.1 & 4.1

DUMONT CLARKE QUILTS AS FINANCE CHAIRMAN.

Too Many Persons Wanted to Tell Him How to Improve Currency, He Writes.

Dumont Clarke, president of the American Exchange National Bank, to-day resigned from the chairmanship of the Committee on Finance of the Chamber of Commerce. It was the first proceeding of the kind known in a dozen years. Mr. Clarke presented the following letter:

"At the annual meeting of the Chamber of Commerce, held in May last, I was honored by being elected chairman of the Committee on Finance and Currency."

"Finding that I have so many calls by most worthy people who feel they are possessed of special knowledge for the improvement of the currency, etc.; also communications by letter, taking much of my time, the necessity of resigning the position seems to me imperative. I am, especially as my time is so occupied owing to the activities of the present year, that I cannot give to it the thought and time the position demands."

"You will therefore please have my resignation acted upon at the next meeting of the chamber. Trusting this may cause no inconvenience to you, who so ably and loyally represent the chamber as its president. I beg to remain with sentiments of esteem yours, truly, DUMONT CLARKE."

TO SEE LILLIAN RUSSELL DISROBE PENALTY ENOUGH.

(Special to The Evening World.)

WATERBURY, Conn., Dec. 5.—"Well, if you saw Lillian Russell disrobing, you have certainly suffered enough and you can go out free," said the Police Superintendent to Timothy Hurley to-day.

Hurley was accused of crawling last night through the dirt and dirt 30 feet to Miss Russell's dressing-room in Police Theatre. Then he scraped off enough dirt to get a peek at the star.

BROKER GILLIES VISITED GIRLS AS CURE FOR 'BLUES'

Highballs at Churchill's Also Part of Treatment, He Testifies.

FAILED TO GET A KISS.

Admits He Tried Twice, in Defending Wife's Suit for Divorce.

The suit of Mrs. Lala O. Gillies for divorce from Walter Wright Gillies, on trial before Justice Blanchard in the Supreme Court, hinges on the identity of the co-respondent named by Mrs. Gillies, Miss Alice M. Waters.

A waiter at the Claremont restaurant who had served Gillies and a woman one evening, was asked if either of two young women in court was the person, but could not say. The two were Miss Waters and her friend, Miss Schuyler.

The lawyer for Gillies, who is a coffee broker, moved to dismiss on the ground that no opportunity for misbehavior had been shown, the evidence all going to show that when Gillies called at Miss Waters' home, No. 17, West Forty-ninth street, he was invariably accompanied by another man.

Harry W. Doremus, the friend of Gillies and his companion when he called on Miss Waters, testified that he is married and has two children.

"I found Gillies depressed and unhappy one day," said Doremus, "and told him Mrs. Schuyler was entertaining a guest from Rochester and had asked me to call that evening and bring a friend. We sat around an oil stove in the girls' room and played euchre all evening. We went to Churchill's afterward, because that was the nearest 'nice' place."

"Felt 'Blue,' So Went Visiting."

Mr. Gillies, after specifically denying his wife's charges, corroborated Doremus's story about how he felt bad on Feb. 23 and was induced to go with Doremus to call on "the girl."

Gillies said that when he got home from business his wife was getting ready to go to the theatre; that she often went out evenings, never asked him to go, and once, in March, 1906, told him:

"You go your way; I will go mine. I will not be living with you next summer, anyway."

Justice Blanchard cut short further efforts to justify the husband's method of driving away the blues, saying:

"I don't know what would happen if all married men were allowed to run without license whenever they had a fit of the blues."

Broker Gillies referred to the co-respondent as "Mrs. Wallace." He said he had highballs and the girls port or cherry and clear lemonade amounting to \$3.50 at Churchill's, and explained what one witness had described as a hugging and kissing bout on the street.

"It was bitter cold and very slippery," said Gillies. "Mrs. Wallace nearly fell. I caught her and I tried to kiss her, but didn't succeed."

Knew He Was Shadowed.

Gillies also stated how he discovered that his wife was having him shadowed.

"I was going to the grocery for her. After I had got into the street she threw up a window and reminded me not to forget the crackers. I saw a man across the way. He stared at me and followed me. I led him a merry chase."

"On the second night, did you kiss Mrs. Wallace?" he was asked.

"I made the attempt."

"Did you succeed?"

"I did not."

"Did you ever kiss her?"

"No."

Mr. Gillies testified that on March 6 last, when he left his house in the morning, as usual, "I kissed my wife and baby good-bye."

"Did anything unusual happen?"

"Yes, when I went out she called me back and asked me to kiss her and the baby good-bye again."

"Did you?"

"I did."

"When were you served with the summons?"

"That afternoon. When I got home that night, wife and baby and everything was gone."

BARON TAKAHIRA NEW AMBASSADOR TO WASHINGTON

Noted Jap Diplomat, Who Was Former Minister Here, Named to Succeed Aoki.

TOKIO, Dec. 5.—The Government has chosen Baron Kogoro Takahira to succeed Viscount Aoki as Ambassador at Washington.

Baron Takahira is at present Japanese Ambassador to Italy and was formerly Japanese Minister at Washington, to which post he was appointed in 1900, at which time Aoki was Minister of Foreign Affairs. He was born in 1854 and has been connected with the Foreign Office since 1876, when he was a translator. From 1879 till 1884 he was Secretary of Legation at Washington. In 1887 he was Consul-General at New York.

The Hochi stated to-day that the Government had recalled Aoki for pleading Japan to restrictive legislation as to emigration to the United States. But this statement is discounted on account of the Hochi's well-known connection with the emigration companies.

Kiki Yuro Ichi, chief of the Japanese Bureau of Commerce, who a few days ago returned from his visit to the United States and Canada, where he was sent to investigate the immigration problem, gathered representatives of the Tokio newspapers around him at the Foreign Office this evening and made a (Continued on Second Page.)

FIRE IN TUNNEL FATALLY INJURES ELEVEN WORKERS

Waterproofing Material Catches Fire in the Pennsylvania Tube at Homestead, N. J., and Poisonous Fumes Overcome the Workmen.

125 LIVES IMPERILLED FAR FROM THE SURFACE.

Rescuers Led by a Colored Prize-Fighter Display Great Heroism in Carrying Unconscious to Mouth of the Tunnel.

Eleven men were fatally suffocated and one man is believed to have been smothered to death in a stubborn fire that started in spontaneous combustion in the Pennsylvania tunnel near the Homestead, N. J., portal to-day. There were 125 men in the tube, but the majority of them got out safely. The eleven carried out unconscious are dying in the North Hudson Hospital. They are:

WILLIAM J. MURPHY,
CHARLES JOHNSON,
MATTHEW PITHUCK,
H. SHOREATIME,
WILLIAM W. MARTIN,

HENRY HALL,
MICHAEL DONOHUE,
PHILIP LAGARMARSINO,
ROSS PARKER,
Two Italians, Nos. 1817 and 1836.

The full night shift of 125 men were at work in the deep bore below Homestead when the tar paper used for waterproofing the roof of the tunnel sprang into flame and set fire to other combustibles stored in the vicinity.

The fire gathered headway rapidly and blinding smoke was driven back for 500 feet beyond the portal.

Those who were near the shaft managed to grope their way to the ladders and clamber out. The others, who were some distance back, where there was less air, could not stand the fumes and collapsed.

Eleven men were working in a group 500 feet west of the shaft. A moment after they heard a warning about smoke curled along the bore and burst upon them with its stifling fumes. Led by their foreman, they endeavored to grope through the smoke, but it increased in volume and density and drove them back.

Choking and suffocating, they would soon have been overcome had not their foreman found a compressed-air pipe and cut it. This kept them up temporarily, but they finally succumbed and lay piled in senseless heaps about the pipe when the rescue parties came to them.

Joe Jeannette, a big colored prize-fighter, led the rescue party that reached the eleven unconscious men. Workmen in twos and threes had been found in other stretches of the tunnel and carried to safety. The task of getting the eleven inmates men along the 500 feet of the shaft was a desperate one, as the smoke was still thick and the men were exhausted. It took two men at a time to the shaft lift.

Fears They Will Die.

Before they had reached the surface ambulances had arrived from the North Hudson Hospital. Dr. Wolschlag took charge of the work of attempting to revive the men. He feared that only a few of them would come through.

All of the eleven had inhaled the poison-laden smoke, and none of them responded to the efforts to procure artificial respiration. They were both Italians. The others were American and Irish.

After the last of the eleven men were carried up and reports were received from other sections of the tube, it was learned that one man was missing. Though the fire had by this time burned itself out, smoke still choked the tunnel and made the searching difficult. The fire had started from the sponta-